IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.3019 OF 2006
IN
WRIT PETITION NO.6401 OF 2006

Shri Nandlal P. Gupta ..applicant

Vs.

The Mogaveera Coop Bank Ltd & Ors. ..Respondents

Ms.Archana Khan for the applicant

Mr.Yogendra M. Kanchan for hte respondent no.1 and 2

CORAM : A.P.DESHPANDE, J

DATED : 21ST DECEMBER, 2006

P.C.:

1. The writ petition came to be dismissed in default of appearance of the counsel for the petitioners by learned single Judge of this court vide order dt.10.10.06. By the present Civil Application, a prayer for restoration is made and grounds for the same are set out. The learned counsel for the respondent objects to the consideration of this application by pointing out that there is a delay of 12 days in filing of this application and there is no prayer made for

condonation of delay.

2. The learned counsel for the petitioner makes oral prayer for condonation of delay. In the facts of the present case, the oral prayer is permitted to be made and the same is granted. Delay is condoned for the reasons set out in the application. The impugned order dt.10.10.06 is set aside. Petition is restored to file.

(SHRI A.P.DESHPANDE, J)